

537-1053.1



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#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE THE APPLICATION OF

Sebastian J. SAVORY et al

SERIAL NO.: 09/975,830

FILED: October 12, 2001

FOR: GENERATION OF VARIABLE
DIFFERENTIAL GROUP DELAY

)
) Examiner:
)
) Group Art Unit No. 2872
)
)
)
)
)
)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to "Commissioner for Patents, Washington, D.C. 20231" on February 14, 2002.

Name of person signing Jennifer J. Ramirez

Signature

PETITION PURSUANT TO 37 C.F.R. § 1.47 (a)

Honorable Director of Patents
and Trademarks
Washington, D.C. 20231

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MAR 04 2002

OFFICE OF PETITIONS

Dear Sir:

This petition is being filed pursuant to 37 C.F.R. § 1.47(a) due to the fact that one of the inventors, Qing Guo, appears to refuse to sign the Declaration for this application.

The undersigned handles this application through the British agents, Elkington and Fife, for the Assignee, Nortel Networks Limited. After the application was filed, Nick Ertl, one of the British agents for the Assignee, sought to obtain execution of the Application by the four inventors. As the accompanying response will show, Mr. Ertl was successful with obtaining signatures by three of the inventors, but not Mr. Guo. Appended hereto is a copy of a letter of January 28, 2002 from Mr. Ertl to the undersigned indicating his efforts at obtaining signature by Mr. Guo. Also appended hereto is a copy of the January 3, 2002 courier letter that Mr. Ertl sent to Mr. Guo (sending a second set of the Application papers), and a copy of a delivery record

from DHL showing that Mr. Guo signed for the papers on January 10, 2002. However, even after the second set of papers was provided to Mr. Guo, Mr. Guo has not signed the Declaration or the Assignment for this Application, and given the passage of time and the efforts to date, it is believed that Mr. Guo is refusing to sign the papers.

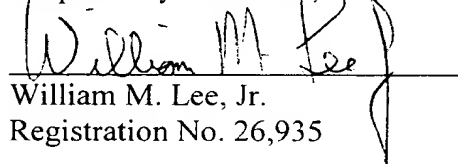
In accordance with the provisions of 37 C.F.R. § 1.17(h), the required fee of \$130 is being submitted herewith to cover this petition. Also, it is believed that the Patent and Trademark Office is still requiring one of the other inventors to actually sign the Declaration on behalf of the non-signing inventor, and therefore this petition will be supplemented with a further Declaration, signed by one of the three inventors on behalf of the non-signing inventor, Mr. Guo.

Based upon the circumstances set forth above and in the attachments, it is submitted that good cause has been shown for granting of this Petition, and such action is therefore solicited.

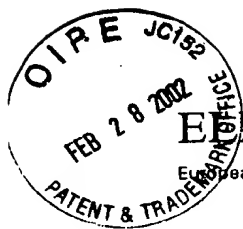
Any questions should be directed to the undersigned.

February 14, 2002

Respectfully submitted,


William M. Lee, Jr.
Registration No. 26,935

Lee, Mann, Smith, McWilliams
Sweeney & Ohlson
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GORDON WRIGHT, MA, DPhil, CPA, EPA.

ROGER MOORE, MITMA, RTMA.
SIMON GREENE, MA, PhD, CPA, EPA.

CONSULTANTS:
JOHN LEWIN, MA, CPA, EPA.
MARINA HALL, MA, CPA, EPA.

OUR REFERENCE

NJE/DSH/G16912US

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JAN 31 2002

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SEVENOAKS OFFICE

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537-1053.1

28 January 2002

Mr William M Lee, Jr.
Lee, Mann, Smith, McWilliams, Sweeney & Ohlson
The Rookery Building
Suite 410
209 South La Salle Street
Chicago, Illinois 60604-1202
United States of America

Dear Bill

Re: US Patent Application Serial No. 09/975,830
Generation of Variable Differential Group Delay
Nortel ref. 14328ID

This is the case where we are having difficulties obtaining signature on the Assignment and Declaration forms from the fourth inventor, who has left Nortel.

In order to be sure that Mr Guo had received the forms for signature, I sent a second set to him by courier on 3 January 2002. I enclose a copy of my letter to him. These documents were sent with a request for proof of delivery.

I now enclose a "Delivery Record" from DHL which shows that Qing Guo signed for my letter on 10 January 2002. I have, however, still not received the signed returned forms.

I now enclose the signed forms from the other three inventors. Will this information be sufficient to file a petition, or should we allow another extension fee to be incurred while we wait for Qing Guo to return the signed forms?

I also note that Qing Guo's name was incorrectly spelt on the filing receipt.

I look forward to receiving your advice in this respect.

Yours sincerely

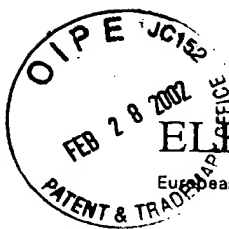
Nick Ertl

Copy to Alastair Tocher

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ELKINGTON AND FIFE

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PLEASE REPLY TO
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Qing Guo
610, 1339 Meadowlands Dr
Nepean
Ontario
Canada K2E 7B4

3 January 2002

VIA DHL COURIER

URGENT

Dear Mr Guo

Re: New Provisional US Patent Application
Nortel Networks Limited
"Generation of Variable Differential Group Delay"

You will recall that you submitted a patent proposal to Nortel as a joint inventor concerning the generation of variable differential group delay, for example for use in PMD compensators.

I am writing to let you know that a US provisional patent application was filed last year. This application combines two Nortel proposals.

As I am sure you will know, various forms are required to support the filing of US patent applications. I now enclose an "Assignment" and a "Declaration and Power of Attorney for Patent Application". The assignment form confirms that you give your rights to this invention to Nortel, and the declaration form is your confirmation that you are an inventor and that you authorise Nortel's selected US patent attorney to act on your behalf. The text of the application as filed is attached to the declaration form.

I would be grateful if you could sign these two forms and return them to me. You will see that the assignment form requires witnessing.

I look forward to receiving the completed forms from you as soon as possible.

Yours sincerely

Nick Ertl

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ATTN: Emma Harman

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BOLD DATE	CNEE NAME	DHL AWB #	ORIGIN	PIECES	P/U DATE	TIME	SIGNATURE	PRINT NAME
01/08	Stephanie Reich	7417796750	BWL	1	01/08	6:05	Stephanie Reich	Stephanie Reich
01/08	Charles Gindard	9459163402	VNY	1	01/08	6:10	Charles Gindard	CHARLES Gindard
01/08	Parvash Bajaj	1372968681	MIA	1	01/08	6:38	Parvash Bajaj	PARVASH Bajaj
01/09	Charlene Whitaker	365654-640	THE	1	01/09	12:50	Charlene Whitaker	J. Sinkiewicz
01/09	Charlene Whitaker	9447180584	DEA	1	01/09	5:48	Charlene Whitaker	Charlene Whitaker
01/10	Sharon Locke	6557095053	CCS	1	01/10	1:40	Sharon Locke	Sharon Locke
01/10	Gina Guo	4023462195	LHR	1	01/10	18:20	Gina Guo	Gina Guo